

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHRISTOPHER SCIONTI, on behalf of)	
himself and all other plaintiffs similarly)	
situated,)	
)	
Plaintiff,)	Case No: 16 cv 7886
)	
v.)	
)	Judge Rebecca A. Pallmeyer
EWALD CONSTRUCTION, Inc. d.b.a.)	
Disaster Recovery Services and Kerry Ewald)	
individually,)	
)	
Defendants.)	

**AGREED MOTION FOR APPROVAL OF SETTLEMENT AND TO ENTER ORDER
OF DISMISSAL WITH PREJUDICE**

Plaintiff, Christopher Scionti, and Defendants, Ewald Construction, Inc. d/b/a Disaster Recovery Services and Kerry Ewald, (the “Parties”) by and through their respective attorneys, move this Court for approval of the settlement and for an order of dismissal with prejudice. In support thereof, the Parties state as follows:

1. On August 5, 2016, Plaintiff filed a Complaint on behalf of the Plaintiff and a putative class alleging violations of the Fair Labor Standards Act (“FLSA”), Illinois Minimum Wage Law, and the Illinois Employee Classification Act. 29 U.S.C. § 201 *et seq.*, 820 ILCS § 105/1 *et seq.* and 820 ILCS §185/1, *et seq.*
2. On March 21, 2017, Judge Gilbert conducted a settlement conference during which the Parties agreed upon a settlement and resolved all issues in dispute. Plaintiff’s individual claims were resolved because plaintiff did not move for class certification and thus, no class was certified.
3. The Parties have entered into a Settlement Agreement and General Release. A copy of which is attached as **Exhibit A** and made apart hereof. The court order of dismissal is attached as **Exhibit B** and made a part hereof.

WHEREFORE, Plaintiff, Christopher Scionti, and Defendants, Ewald Construction, Inc. d/b/a Disaster Recovery Services and Kerry Ewald, pray that this Court grant its motion, approve the settlement and dismiss this matter with prejudice.

Dated: May 22, 2017

Respectfully submitted,

PLAINTIFF:

CHRISTOPHER SCIONTI

By: /s/ Kimberly Hilton
Counsel for Plaintiff

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Respectfully submitted,

DEFENDANTS:

**EWALD CONSTRUCTION, INC. d/b/a
DISASTER RECOVERY SERVICES
and KERRY EWALD, individually**

By: /s/ Pamela J. Leichtling
Counsel for Defendants

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